



County of Los Angeles CHIEF EXECUTIVE OFFICE

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WILLIAM T FUJIOKA
Chief Executive Officer

April 16, 2010

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To: Supervisor Gloria Molina, Chair
Supervisor Mark Ridley-Thomas
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

A handwritten signature in black ink, appearing to read "W. T. Fujioka", is written over the printed name and title.

MOTION TO SUPPORT ASSEMBLY BILL 2706 (LOWENTHAL) AND INSTRUCT THE COUNTY'S LEGISLATIVE ADVOCATES IN SACRAMENTO TO ADVOCATE FOR ITS PASSAGE (ITEM 12 - AGENDA OF APRIL 20, 2010)

Item 12 on the April 20, 2010 Agenda is a motion by Supervisors Knabe and Yaroslavsky to support AB 2706 (Lowenthal) and instruct the County's Legislative advocates in Sacramento to advocate for its passage into law.

Existing law, under the Ralph Civil Rights Act, provides that all persons within California have the right to be free from violence, or intimidation by the threat of violence, because of, among other characteristics, their race, color, religion, ancestry, national origin, political affiliation, or sex. Existing law further permits an individual whose exercise or enjoyment of specified personal rights have been interfered with to bring a civil action for damages, including actual damages, exemplary damages, attorney's fees, injunctive relief, and other appropriate relief.

AB 2706, as introduced on February 19, 2010, would specifically: 1) provide that the protections and remedies of the Ralph Civil Rights Act include violence or intimidation by threat of violence committed against a person or property because the person is or is perceived to be homeless; and 2) define a "homeless person" to mean a person who does not have a fixed, regular, and adequate nighttime residence, and a person that has a nighttime residence such as a supervised, publicly or privately operated shelter designated to provide temporary living accommodations.

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According to a report by the National Coalition for the Homeless, titled "Hate Crimes and Violence Against People Experiencing Homelessness, 2008", homeless persons are more vulnerable to attacks because they live outside in public spaces. The Report notes that California has the second-highest rate of violence against the homeless in the nation, with 22 attacks in 2008 resulting in 10 deaths and 12 non-lethal acts.

According to the 2009 Greater Los Angeles Homeless Count Summary Report by the Los Angeles Homeless Services Authority, there are an estimated 48,053 homeless persons in Los Angeles County. Due to the downturn in the economy, the number of persons who experience homelessness may have increased. According to various studies, most of these homeless persons suffer from mental and physical illness and are less likely to receive comprehensive medical treatment. Homeless persons are often the target of violent attacks because they are perceived to be defenseless targets, second-class citizens unworthy of respect or mercy, or because the perpetrators know the likelihood of suffering legal consequences from their actions is not as high as it would be if they assaulted another non-homeless member of the community.

AB 2706 would provide additional means of deterring and punishing hate-based violence against homeless persons by giving them access to remedies through civil litigation and adding homeless persons to the list of persons protected against hate-based violence.

Although the County does not have specific legislative policy to prevent hate-based violence against homeless persons, we do have existing policy to: 1) support legislation to reduce hate crimes, increase human relations education and training, and increase communities' capacity to address intergroup relations issues in a positive way; and 2) support proposals that enhance increased treatment for the mentally ill homeless individual, families, and children. In addition, the County has general policy to support the equitable treatment of citizens, and various anti-discrimination, anti-harassment, and anti-violence policies. **Therefore, support for AB 2706 is consistent with existing County policy.**

This measure is supported by California Teachers Association; Consumer Attorneys of California; Gramercy Housing Group; National Association of Social Workers; California PATH Partners; Don Knabe, Los Angeles County Supervisor; and Antonio Villaraigosa, Mayor, City of Los Angeles. There is no registered opposition. AB 2706 currently is in the Assembly Committee on Judiciary awaiting a hearing.

WTF:RA
MR:GA:sb

c: Executive Office, Board of Supervisors
County Counsel